

**RECEIVED**

JAN 16 2025

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

FLORENCE, S.C.

CLARA L. BROCKINGTON

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

BELK, Inc., BELK Corporate Office  
Victor ZaldivarCharles Stuckey + LIDA Morley

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

**Complaint for a Civil Case**

Case No. \_\_\_\_\_  
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No  
(check one)

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

CLARA L. BROCKINGTON

Street Address

P.O. Box 3232

City and County

Florence, SC 29502

State and Zip Code

Telephone Number

843-616-1317

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

**Defendant No. 1**

Name

BEIK, Inc.

Job or Title  
(if known)

Street Address

2701 David McLeod Blvd.

City and County

Florence

State and Zip Code

South Carolina 29501

Telephone Number

843-662-3201

**Defendant No. 2**

Name

Victor Zaldivar

Job or Title  
(if known)

Store Manager

Street Address

2701 David McLeod Blvd

City and County

Florence

State and Zip Code

South Carolina

Telephone Number

843-662-3201

**Defendant No. 3**

Name

Charles Stuckey

I. The Parties To This Complaint Continued:

B. The Defendants:

Defendant No. 5

Bell Corporate Store  
2801 West Ivyola Road  
Charlotte, N. C. 28217

Telephone: 704-357-1000

Job or Title (if known)	<u>Asset Protection</u>
Street Address	<u>2701 David McLeod Blvd.</u>
City and County	<u>Florence</u>
State and Zip Code	<u>S. C. 29501</u>
Telephone Number	<u>843-662-3201</u>
Defendant No. 4	
Name	<u>Lisa Morley</u>
Job or Title (if known)	<u>Visual Department</u>
Street Address	<u>2701 David McLeod Blvd</u>
City and County	<u>Florence</u>
State and Zip Code	<u>S. C. 29501</u>
Telephone Number	<u>843-662-3201</u>

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Federal Courts are allowed to exercise jurisdiction  
over all cases arising under this Constitution and the  
Laws of the United States.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

**b. If the defendant is a corporation**

The defendant, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_. Or is incorporated under the laws of *(foreign nation)* \_\_\_\_\_, and has its principal place of business in *(name)* \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

### 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain): \$100,000 plus other costs

My damages will be disputed and disagreed with the defendants due to various charges being filed such as harassment, wrongfully terminated, stress, depression, lying, etc.

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Approx 01/11/2024, Store Manager Victor Z. called me in his office to inquire about Lisa Morley, Employee, discriminating, harassing, belittling and calling me names of animals, taking pictures constantly coming to my register throwing boxes of merchandise on the floor trying to hit me, calling my name saying I look like an animal, whispering at me, etc.,  
Continued:

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Several damages are stress, depression, emotional disorders, wrongful termination, trauma, attempted sexual assault, lying, unfair treatment, loss of employment & income, embarrassment, shame, continuous headaches, continuous medications, counseling,  
Continued:

(2)

Continuation:

The young man then stated he need to get his receipt because he may have dropped it. I was proceeding to assist the female customer at my register and looked at the clock. I said that young man is not coming back because it is closing time. The customer went and looked out the door and did not see anyone outside. As I proceeded to complete the customer's transaction, Derrick came over to lock the doors. I asked Derrick to come to my register and get this bag of jewelry that this Black male had in his hand when it alarmed at the door. I told Derrick he said he need to go get his receipt and never came back. Derrick looked in the bag and my female customer requested to see the jewelry because she may buy it. Then Derrick handed me the bag and I opened it and emptied everything on the counter where the female customer looked at the jewelry and did not like any of it to purchase. I took the BELK bag and AND place jewelry back in bag and handed the bag back to Derrick that he handed to customer.

Continued:

When he came back into his office, I looked out Victor's doorway and no one was out the door, near the door or standing in the open area. I went back in Victor's office to tell him I was leaving and going back to my register. Victor was standing against the wall and started rubbing his penis area and I said to him, yelling, scared, upset, state of shock and begin hyperventilating and ran to open the hallway door and Victor started yelling, "Clara, Clara, Clara," and I slammed the door. No one was outside Charles office, in the back area or near the doors in the back area. Victor made all the sexual gestures where no one could see him unless you were inside his office only. No one could see me either where I was standing with the door opened. I went to the ladies room crying and called my family and told them what I happened. I told them I will go to the hospital and report what happened in Victor's office for documentation.

(6)

Continued:

Charles stared at Debbie and I got my belongings and I proceeded to the Kitchen area and got my lunch bag and went to my car, called my family, the City Police and several other important persons to give me advice. Then I called the Corporate Office and spoke with Kelli Howell, HR Representative and informed her that I was attempted sexual abuse by Victor with all of his sexual behaviors, I am hyperventilating and cannot breathe, fear for my life with Victor and going to get checked, some medications, and go home and lie down. Kelli approved for me to go get medical, psychological and depression/stress counseling and she or Don Craig with Human Resources will call me back on the following Monday (after 1/11/24). I agreed to go after calling 911 and do my report. I was later taken to Meherd Hospital Emergency Room and was treated extensively from about 12 noon until discharged late evening. My daughter had to come and get me due to the stress, depression, attempted assault, hyperventilating, etc. She then took me home and cared for me the next 3 or 4 days @ home.

(8)

Continued:

This is to show the Court that I have the witness at the register, who will testify or do an affidavit of everything that happened with the Black male giving the bag of jewelry to me in a Black Bag when the alarm went off and the Female Customer was behind him when all of this happened. She will testify that I never followed the gentleman because he gave me the jewelry when it alarmed. Others will testify that numerous persons will always go outside after persons when the alarm goes off to get facial and clothing descriptions, car descriptions, directions, etc., to see if they got scared and drop the merchandise, etc. Charles Stuckey lied from beginning to end and I don't appreciate his dishonesty. He told the Police many lies that he could see in the office of Victor and could not see me because I was behind the door standing and Victor was against his back wall in his office and NO camera would be able to see what he was doing at anytime.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

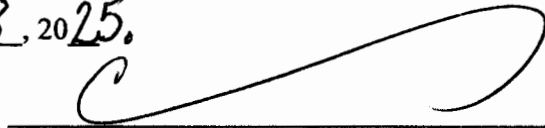
**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 01/08, 2025.

Signature of Plaintiff

Printed Name of Plaintiff

  
CLARA L. BROCKINGTON

**B. For Attorneys**

Date of signing: \_\_\_\_\_, 20\_\_.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

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Continuation:

(9)

IV. Relief Continued:

Medical appointments, therapist appointments, stress management, comprehensive treatment, fear for my life training/treatment, ETC.

Actual Damages - I have lost many things that I will never regain again such as trust, understanding what and why these individuals did all these negative things to me and never apologized, did not attempt to correct, got other employees to join them and this hurt and damaged me even more. I am requesting \$100,000 in these damages for all that I have LOST since Victor, Charles and Lisa came to BELK. I am requesting their termination effective immediately.

Punitive Damages - I am requesting an award of \$100,000 for the unfair treatment, discrimination, wrongful termination, lying, calling names, taking pictures, poor conduct, exhibiting highly reckless behaviors, refusing to pay me for the jewelry recovery (which is policy that was not carried out with me, ETC. This is to punish BELK Managers to stop and deter from dangerous conduct in the future. I have been scared by this STORE Managers and will never be the same person again. Second time working @ BELK and was never written up, never called on anything and never terminated.

(7)

Continuation:

I waited on someone to call me from the Corporate Office on Friday, Saturday, Sunday, Monday and I estimate someone called me on Tuesday (Don Craig) from H.R. Don stated that Victor told him that he terminated me for violating policy with a customer going out the store. Stealing. I told Don that: (1) Victor never told me I was terminated because he told Charles Stuckey to come get me from the register so he could finish his conversation. (2) I refused to go back in the office due to his sexual attempts with me. (3) I called Corporate to let Kelli know what happened and I was going to the hospital for medical, mental and psychological treatments and then go home. (4) I waited on professional administrators to call me on Monday as stated and it never happened. I told Don Craig on Tuesday that this case will be thoroughly evaluated by the Court (since the Corporate Office never came down to talk to Lisa Morley, Charles Stuckey, witnesses I told what Lisa was doing and saying to me, Charles lying about me going after a customer outside, but refused to let me see the camera, and Charles sent employees outside to get tag numbers, descriptions of individuals, etc.

(3)

Continued:

After getting myself together in the bathroom, I then returned to the register to gather my belongings and (2) customers were there. I waited on those (2) customers and saw Charles and the new employee (white female) with him. Charles stated, "Victor need you to come back to his office because he never finish talking to you because you left. I told Charles to tell Victor I would not be coming back to his office for him to sexually harass me again. Then Debbie Gregg came up and said, "she will run my register while I go to the office. I told her the same thing I told Charles. When I finished assisting my last customer, I told Debbie and Charles that they were rude, unprofessional, disrespectful, harassing and threatening to me while the customers were there listening to their conversations at the register with me. After assisting the last customer, I told Charles to tell Victor that I will be leaving to go call Corporate and discuss this matter and go to hospital.

(3)

Continued:

Derrick left the Home Dept. with the jewelry in the BELK bag. This is the story I told Victor about the Black male attempting to steal the jewelry. Victor then asked me again if I was planning to go to see the authorities about pressing charges on Lisa Morley? I asked Victor why we he so concerned as the Store Manager concerned about covering up the damages that Lisa did to me which is discrimination, etc., but not worrying about the damages she did to me for numerous months and was ongoing, until I shared it with Charles Stuckey. Victor stated that he has his own reasons and he can make a decision for me. Victor then stood up, started licking his tongue at me, rubbing his pants where his penis is located, etc. I told Victor that I was getting ready to leave because he was standing at the back wall where no one could see him. I looked out the door that was opened and no one was standing near Victor's office. Victor came from behind his desk and looked out his door and went to Charles office and came back to his office.

continued →

Continuation:

(1)

III. Statement of Claim Continued:

Of which I stated that was true. I also informed Victor that I reported this to Charles Stuckey, Asset Protections Employee, who stated that he would be informing Victor because this is a form of harassment on the job. Victor asked me if I was gonna report this to the police dept. and I refused to answer. Then Victor asked me to tell him about the young man that was attempting to steal jewelry that I recovered while working in the Home Department in December. I told him that he could ask Derrick in Administration, who received the Jewelry from me in a BELK Bag, while I was assisting my last customer for the night, who witnessed the whole incident. That same customer told Derrick that she was behind the customer going near the door when his jewelry was alarming at the door. This same Black Male stopped at the door and gave me his bag and I immediately went over to the register and empty everything on the counter and did not see his receipt in the bag.

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